



General Assembly

February Session, 2010

**Amendment**

LCO No. 5078

**\*HB0512905078HR0\***

Offered by:

REP. CHAPIN, 67<sup>th</sup> Dist.

REP. ROY, 119<sup>th</sup> Dist.

To: Subst. House Bill No. 5129

File No. 97

Cal. No. 68

**"AN ACT CONCERNING MINOR REVISIONS TO THE POULTRY  
LICENSING AND FARM WINE DEVELOPMENT COUNCIL  
STATUTES."**

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 22-326s of the general statutes is repealed and the  
3 following is substituted in lieu thereof (*Effective October 1, 2010*):

4 (a) As used in this section:

5 (1) "Commissioner" means the Commissioner of Agriculture.

6 (2) "Dealer" means a producer who is a wholesaler, distributor or  
7 hauler of live poultry or hatching eggs or any person, firm or  
8 corporation engaged in the business of (A) buying, receiving, selling,  
9 bartering, exchanging, negotiating or soliciting the sale, resale or  
10 exchange of live poultry or hatching eggs, or (B) the transportation,  
11 transfer or shipment of any live poultry or hatching eggs.

12 (3) "Hauler" means any person, firm or corporation that transports  
13 live poultry or hatching eggs from premises to premises, to a  
14 distributor, to a live bird market or to a dealer and includes, but is not  
15 limited to, any producer who transports live poultry directly to a live  
16 bird market, wholesaler, distributor or other dealer.

17 (4) "Live bird market" means a facility at which live poultry or  
18 hatching eggs are congregated for sale or to be slaughtered and  
19 dressed for sale to the public or restaurants or to be sold live for any  
20 purpose.

21 (5) "Poultry" means any species of domestic fowl, including, but not  
22 limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries,  
23 waterfowl and game birds raised for food production, breeding,  
24 exhibition or sale.

25 (6) "Producer" means any person, firm or corporation engaged in  
26 the breeding, raising or keeping of poultry for the purpose of food  
27 production, hatching egg production or for show or exhibition.

28 (b) Annually, each poultry dealer conducting business within the  
29 state shall apply for a license upon forms furnished by the  
30 commissioner. The commissioner shall issue such license unless, in the  
31 commissioner's sole discretion, the commissioner deems it in the best  
32 interest of the public to refuse issuance thereof. In refusing to issue a  
33 license, the commissioner shall give due regard to whether the  
34 applicant has had such a license previously revoked or suspended or  
35 has violated any state or federal law or regulation concerned with  
36 interstate transport of live poultry and hatching eggs or live poultry  
37 health requirements. Each license shall be nontransferable and shall be  
38 in effect from [July] January first through [the last day of June of the  
39 next succeeding year] December thirty-first of the year in which such  
40 license is issued.

41 (c) Each license shall be shown, upon request, to any person with  
42 whom the licensee conducts or proposes to conduct business.

43 (d) Any poultry dealer licensed under this section shall keep  
44 accounts and records that fully and clearly disclose all transactions  
45 related to the conduct of such dealer's business. Such records shall be  
46 made available at any time for inspection by the commissioner or the  
47 commissioner's authorized agent for the purpose of determining the  
48 origin and destination of any live poultry handled by the dealer.  
49 Information relating to the general business of the dealer that is  
50 disclosed in the course of an inspection by the commissioner or by the  
51 commissioner's authorized agent and that is not related to the  
52 immediate purpose of the inspection shall be confidential and not  
53 disclosed except as required by law.

54 (e) The provisions of this section do not apply to any person, firm or  
55 corporation that: ~~[is] (1) Is~~ only a producer [, except that a producer  
56 who transports live poultry directly to a live bird market, wholesaler,  
57 distributor or other dealer shall be deemed a hauler and subject to the  
58 provisions of this section] of table eggs, or (2) transports live poultry to  
59 and from shows, exhibitions or fairs.

60 (f) The Commissioner of Agriculture may adopt regulations, in  
61 accordance with the provisions of chapter 54, to ensure compliance  
62 with this section and to ensure the public health and safety. Such  
63 regulations shall include: (1) Sanitation standards for vehicles, crates,  
64 facilities and other appurtenances used to transport and hold poultry  
65 or hatching eggs, both in transit and at any place where poultry or  
66 hatching eggs are held for the purposes of being sold or offered for  
67 sale; (2) the health requirements for poultry and hatching eggs,  
68 including, but not limited to, required tests, vaccinations or other  
69 methods used to prevent poultry disease; (3) the manner and form of  
70 records to be kept, including, but not limited to, identification of the  
71 origin of poultry or hatching eggs, poultry animal health records, test  
72 results or copies of sales records and dates; and (4) individual bird and  
73 premise identification.

74 (g) The commissioner may: (1) Revoke or suspend a poultry dealer's  
75 license, or (2) assess an administrative civil penalty pursuant to section

76 22-7 for a violation of this section."